

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2048.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF SO-CALLED OLIVE OIL.

On April 8, 1912, the United States Attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 quart cans of so-called olive oil, remaining unsold in the original unbroken packages at Providence, R. I., alleging that the product had been shipped from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Olio puro E garantito di fontanarosa Italy pure olive oil Italy olio d'oliva sopraffino di fontanarosa avellino Italy Mike DeFeo sole agents, Schenectady, N. Y."

Adulteration of the product was alleged in the libel for the reason that said product, by its label, purported to be pure olive oil, whereas a certain substance, to wit, cottonseed oil, had been substituted in part in said product for pure olive oil. Misbranding was alleged for the reason that the cans of the product bore a label and designation reading as above set forth, to wit, that the product purported to be pure olive oil, whereas, in truth and in fact, it was not pure olive oil, but was composed in the proportion of approximately 50 per cent cottonseed oil and 50 per cent of olive oil or other oils. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, in that it bore the statement that it was pure olive oil, which statement was false and misleading in the particulars aforesaid.

On June 26, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be sold or destroyed by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 30, 1912.*